

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HENRY ARGUDO, et al., :
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Plaintiffs, : 18-CV-678 (JMF)
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-v- :
ORDER
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PAREA GROUP LLC, et al., :
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Defendants. :
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JESSE M. FURMAN, United States District Judge:

As discussed on the record at the conference held on December 10, 2019, Defendants still have not complied with the Court's repeated Orders to produce a complete "list, in Microsoft Excel format, of all persons employed by Defendants as captains, waiters, bussers, runners, bartenders, and barbacks, from January 26, 2012, to the present" and all related information, per the Court's Order at ECF No. 120. The sanctions imposed by the Court will continue to run until Defendants comply. *See* ECF No. 130. As discussed, Defendants are granted until **December 30, 2019**, to produce complete (new) lists. Failure to do so will result in additional sanctions — up to and including entry of default judgment.

By the **same date**, Defendants shall submit an affidavit, sworn under oath, from a custodian of their employment records or someone with knowledge of the production that either (1) states that the produced list is complete and accurate (i.e., contains all of the information ordered by the Court for all members of the certified class for the entire class period), or (2) explains why it is not complete and thoroughly describes any and all efforts undertaken by Defendants to collect and produce the required information.

By **noon** on **January 3, 2020**, Plaintiffs shall file a letter on ECF stating their view as to whether Defendants have fully complied with the Court's Orders, and if Defendants have not, specifically describing the deficiency or deficiencies in the information produced and attaching the produced list(s), either to be filed under seal or subject to the Court's Individual Rules and Practices regarding the redaction of sensitive information and Rule 5.2 of the Federal Rules of Civil Procedure.

It is further ORDERED that the parties shall appear for a conference on **January 6, 2020**, at **3 p.m.** Unless the Court directs otherwise, the conference will be held in **Courtroom 1105** of the **Thurgood Marshall United States Courthouse, 40 Centre Street**, New York, NY (i.e., the Court's usual courtroom).

SO ORDERED.

Dated: December 10, 2019
New York, New York



JESSE M. FURMAN
United States District Judge